

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1216 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KARSAN HAMIR AHIR

Versus

STATE OF GUJARAT

Appearance:

MR AD SHAH for Petitioner

MR. Gohel, A.P.P. for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 16/04/98

ORAL JUDGEMENT

Heard the learned Advocate Mr.. A.D. Shah
appearing for the petitioner.

Rule. Learned A.P.P. Mr. Gohel waives service
of rule on behalf of the State. Parties have not pressed
for reasoned order.

Having regard to the facts and circumstances apparent from the material produced on record and particularly the postmortem report stating cause of death; in the context of submissions urged at the Bar, it is ordered that petitioner be admitted to bail on execution of personal bond of Rs.10,000/-(Ten thousand) and furnishing one surety for the like amount to the satisfaction of the trial Court and on compliance of the following conditions:

- (a) not to take undue advantage of his liberty or misuse his liberty;
- (b) not to act in a manner injurious to the interest of the prosecution;
- (c) maintain law and order;
- (d) not leave the local limits of Village Varna, Taluka Bhuj, Kutch for a period beyond three days without the prior permission of the Sessions Judge at Bhuj.
- (e) furnish the address of his residence at the time of execution of the bond and shall not change his residence without prior permission of this Court;
- (f) not enter into the local limits of the sims of Doorchandiya village and Lotaria Village without prior permission of this Court, but for attending the Court in connection with this case, he will be free to enter the limits for a period to that extent necessary and will leave the limits soon thereafter after the matter is adjourned.

If breach of any of the above conditions is committed, the Sessions Judge , Kutch at Bhuj will be free to issue warrant or take appropriate action in the matter.

Rule is made absolute accordingly. No order as to costs. Direct service is permitted.

(A.K.Trivedi,J.)

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